

## DECLARATION

As a below-named inventor, I hereby declare that:

My correct residence, post office address and citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

### "Dynamic Downloading of Hypertext Electronic Mail Messages"

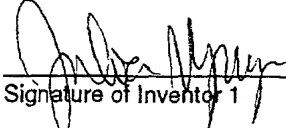
The specification of this subject matter is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified patent application, including the claims, as amended by any amendment(s) referred to above. I believe the subject matter claimed in the above-identified application to be new and to be unobvious to persons of ordinary skill in the art in view of the prior art of which I am aware. I further hereby state that the specification of the above identified patent application adequately describes how to make and use the claimed invention, and further that it sets forth the best mode for practicing the invention known to me as of the date that the application was filed. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)		
<hr/>				
FULL NAME OF INVENTOR 1	FIRST Name	MIDDLE Initial(s)	LAST Name	
	Julien	Tan	Nguyen	
<hr/>				
RESIDENCE AND CITY	State or Foreign Country		Country of Citizenship	
	Redwood City	California	United States of America	
<hr/>				
POST OFFICE ADDRESS	Number and Street	City	State or Country	Zip Code
	14484 Chester Avenue	Saratoga	California	95070

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

 Signature of Inventor 1	9/13/96 Date	
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Applicant or Patentee: Julien Tan Nguyen

Filed on even date herewith

For: **"Dynamic Downloading of Hypertext Electronic Mail Messages"**

**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 C.F.R. 1.9(f) and 1.27(c))  
SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern identified below and empowered to act on its behalf.

NAME OF BUSINESS: MagicWeb Communications, Inc.

ADDRESS OF BUSINESS: 894 Ross Drive, Suite 200, Sunnyvale, California 94089

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled,

**"Dynamic Preloading of Web Pages"**

by inventor, Julien Tan Nguyen,

described in the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than an inventor who qualifies as an individual inventor pursuant to 37 C.F.R. §1.9(c), who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).\*

\*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME:

ADDRESS:

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which the verified statement is directed.

MagicWeb Communications, Inc.  
894 Ross Drive, Suite 200  
Sunnyvale, California 94089

Signature

Date

Julien T. Nguyen

Chairman, Chief Executive Officer

Print Name

Title

**POWER OF ATTORNEY**

MagicWeb Communications, Inc., assignee of the application for United States Letters Patent for  
an invention entitled:

**"Dynamic Downloading of Hypertext Electronic Mail Messages"**

invented by:

Julien Tan Nguyen,

executed on even date herewith,

does hereby appoint Kenneth D'Alessandro, Registration No. 29,144, David B. Ritchie, Registration No. 31,562, Steven A. Swernofsky, Registration No. 33,040, Jonathan H. Schafer, Registration No. 36,915, and Steven J. Robbins, Registration No. 40,299 as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith, and certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, a copy of which is attached, from the inventor(s) of the patent application identified above.

Please send all correspondence and direct all telephone calls to:

Steven A. Swernofsky  
D'Alessandro & Ritchie  
P.O. Box 640640  
San Jose, California 95164-0640  
(818) 355-9210

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

I, the undersigned, declare that I am the (an) assignee of the above identified application, or, if the assignee is a corporation, partnership, or other association, I am authorized to make this appointment on behalf of the assignee and I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Full Assignee Name  
Post Office Address

MagicWeb Communications, Inc.  
894 Ross Drive, Suite 200, Sunnyvale, California 94089

Signature

Date

Julien T. Nguyen  
Print Name

9/13/96  
Chairman, Chief Executive Officer  
Title

COPY

MVWEB-001

ASSIGNMENT

WHEREAS Julien Tan Nguyen, a citizen of the United States, residing in Saratoga, California, invented a "DYNAMIC PRELOADING OF WEB PAGES" for which he executed application papers for a U.S. patent thereon, which was filed on September 13, 1996, Serial No. 08/712,586; and


WHEREAS Julien Tan Nguyen assigned unto MagicWeb, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention, by an assignment executed on September 13, 1996, said assignment being recorded by the United States Patent and Trademark Office as reel/frame: 8190/0994; and

WHEREAS Novita Communications, Inc. is the successor in interest to MagicWeb, Inc., MagicWeb, Inc. having changed its name to Novita Communications, Inc. by shareholder vote, resolution of the Board of Directors, and amendment to the Articles of Incorporation, a certificate of amendment being executed on November 20, 1996 and filed with the Secretary of State of the State of California on January 16, 1997; and

WHEREAS, PlanetWeb, Inc., a California corporation, having a place of business at 1390 Villa Street, Mountain View, CA 94041, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, Novita Communications, Inc., does sell, assign, transfer and set over unto the said PlanetWeb, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said PlanetWeb, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at Mountain View, CA, this \_\_\_\_\_ day of October, 1998.

  
Julien Tan Nguyen, CEO of Novita Communications, Inc.

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA CLARA )

On this 19th day of October, 1998, before me, ARLETTE MALHAS, a Notary Public, personally appeared Julien Tan Nguyen personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



  
NOTARY PUBLIC